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OLENE S. WALKER
GOVERNOR

GAYLE F. MCKEACHNIE
LIEUTENANT GOVERNOR

December 29, 2004

Don Metzler
Moab Federal Project Director
U.S. Department of Energy
2597 B ¼ Road
Grand Junction, CO 81503

Dear Mr. Metzler,

I am writing in concert with the approval of Governor Schwarzenegger of California, Governor Napolitano of Arizona, Governor Guinn of Nevada, and Governor Richardson of New Mexico regarding the pending decision by the Department of Energy (DOE) that will impact all downstream users of the Colorado River. A draft Environmental Impact Statement (DEIS) has been issued for the Moab Uranium Mill Tailings pile located on the banks of the Colorado River. DOE did not specify a preferred alternative for either stabilizing the pile in place or moving the pile to an alternative site away from the river. This is the only pile of tailings still left on the Colorado River. The State of Utah and many other stakeholders have consistently maintained the position that these tailings must be removed to a secure off-site location away from the river.

We have been working for several years with the federal government to resolve many questions associated with the pile. When the site operator went bankrupt, we supported federal legislation to transfer the authority to remediate the pile to the Department of Energy. As a result, DOE was given the responsibility to manage this large volume of tailings and resultant environmental issues associated with it. For years, contaminants, including heavy metals, ammonia, and radiologics, have been entering the Colorado River from the tailings pile, degrading the overall quality of the river, and threatening several species of endangered fish. As part of the transfer of authority, federal legislation required the National Academy of Sciences (NAS) to study the remediation of the pile and provide information to DOE. NAS was clear that consideration of long-term impacts should help guide the eventual remediation decision. At this juncture in the process, after many years of technical review and study, uncertainty remains that stabilization of the tailings on-site is a responsible decision. The Utah Department of Environmental Quality will be presenting compelling arguments in their DEIS comments to suggest that the factor of the potential of river migration alone is

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a long-term impact that can only be mitigated by removal of the pile from the banks of the Colorado River.

There is broad support for moving the tailings from local, state, and federal stakeholders that have toiled for several years to achieve that goal. We appreciate the work accomplished and the ongoing stewardship responsibilities for the Moab Millsite by DOE. We want to make it clear that any remediation other than an off-site option is unacceptable.

Sincerely,

A handwritten signature in black ink, appearing to read "Olene S. Walker". The signature is fluid and cursive, with the first name "Olene" being more prominent.

Olene S. Walker
Governor